Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A client-based method for managing transfer of a file having data from a networked device to a client system having a network connection, comprising the steps of:

(a) determining a type of the network connection;

(b) automatically retrieving a threshold noise level corresponding to the network connection type;

(c) determining a utilization rate of the network connection, wherein the threshold noise level is independent of the utilization rate;

(d) determining whether the utilization rate of the network connection is below the threshold noise level;

(e) if the utilization rate is below the threshold noise level, receiving data from the networked device using a method comprising:

(i) determining whether to adjust an amount of data received in a current iteration;

(ii) if step (i) determines to adjust the amount of data received, adjusting the amount of data to receive according to the type of network connection;

(iii) retrieving an increased amount of data; and

(f) if the utilization rate is above the threshold noise level, pausing a predetermined amount of time before proceeding; and

(g) repeating steps (c)-(f) until all data in the file is received.

2. (currently amended) The method of claims 1, further comprising the step of determining a speed of the network connection, wherein the type of network connection is determined based on the speed of the network connection.

3. (original) The method of claim 1, further comprising the step of defining a size of a receiving buffer according to the type of network connection.

4. (currently amended) The method of ~~claim1~~ claim 1, wherein the step of monitoring determining the utilization rate of the network connection includes the step of determining how much data has been transferred through the network connection per unit of time.

5. (canceled)

6. (currently amended) The method of claim 1, wherein the threshold noise level ~~may be statically, dynamically, or used configurable~~ is one

of statically configurable, dynamically configurable, and user configurable.

7. (previously presented) The method of claim 1, wherein the step of determining whether to adjust the amount of data received in the current iteration includes determining whether a previous iteration resulted in data being received.

8. (previously presented) The method of claim 7, wherein the step of adjusting the amount of data to receive according to the type of network connection includes adjusting a buffer parameter that determines how many times a receiving buffer is read in the current iteration.

9. (previously presented) The method of claim 8, wherein the step of adjusting a buffer parameter that determines how many times a receiving buffer is read in the current iteration includes incrementing the buffer parameter when a previous iteration resulted in data being received.

10. (original) The method of claim 9, wherein the buffer is incremented until a predetermined maximum buffer value is achieved.

11. (previously presented) The method of claim 8, wherein the step of adjusting a buffer parameter that determines how many times a receiving buffer is read in the current iteration includes resetting the buffer parameter to a predetermined minimum value when the

monitoring of the network connection in the previous iteration resulted in data not being received.

12. (previously presented) The method of claim 1, further comprising automatically retrieving a network sample rate parameter corresponding to the network connection type, wherein the step of pausing a predetermined amount of time before proceeding includes the step of pausing a predetermined amount of time determined by the network sample rate parameter.

13. (currently amended) A system for managing the transfer of a file having data from a networked device to a client system, comprising:

means for determining a type of network connection of the client system;

means for defining a threshold parameter and a buffer parameter according to the type of network connection, wherein the threshold parameter is independent of the utilization of the network connection;

means for receiving an amount of data determined by the buffer parameter when the utilization of the network connection is below the threshold parameter and adjusting the buffer parameter according to the monitoring of the utilization of the network connection; and

means for suspending the receiving of data when utilization of the network connection is not below the threshold parameter and monitoring the utilization of the network connection.

14. (previously presented) The method of claim 1 wherein the threshold noise level is automatically retrieved from a lookup table stored on the client system.